

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

SKAT TAX REFUND SCHEME LITIGATION

This document relates to: 1:19-cv-01867-LAK, 1:19-cv-01868-LAK, 1:19-cv-01869-LAK, 1:19-cv-01895-LAK, 1:19-cv-01896-LAK, 1:19-cv-01898-LAK, 1:19-cv-01904-LAK, 1:19-cv-01865-LAK, 1:19-cv-01866-LAK, 1:19-cv-01871-LAK, 1:19-cv-01873-LAK, 1:19-cv-01894-LAK, 1:19-cv-01930-LAK, 1:19-cv-01893-LAK, 1:19-cv-01906, 1:19-cv-01911, 1:19-cv-01924, 1:19-cv-01781-LAK, 1:19-cv-01785-LAK, 1:19-cv-01791-LAK, 1:19-cv-01783-LAK, 1:19-cv-01788-LAK, 1:19-cv-01794-LAK, 1:19-cv-01798-LAK, 1:19-cv-01918-LAK, 1:19-cv-01922-LAK, 1:19-cv-01926-LAK, 1:19-cv-01928-LAK, 1:19-cv-01929-LAK, 1:19-cv-01931-LAK, 1:19-cv-01800-LAK, 1:19-cv-01803-LAK, 1:19-cv-01809-LAK, 1:19-cv-01812-LAK, 1:19-cv-01818-LAK, 1:19-cv-01792-LAK, 1:19-cv-01806-LAK, 1:19-cv-01808-LAK, 1:19-cv-01815-LAK, 1:19-cv-01870-LAK, 1:19-cv-01801-LAK, 1:19-cv-01810-LAK, 1:19-cv-01813-LAK

Master Docket 18-md-02865 (LAK)
ECF Case

**STIPULATION AND [PROPOSED] ORDER
EXTENDING TIME TO RESPOND TO THE COMPLAINTS**

IT IS HEREBY STIPULATED AND AGREED by and between the undersigned counsel for the parties that the current December 30, 2019 deadline for Defendants in the cases enumerated in the caption to answer the Complaints is hereby extended thirty-five (35) days up to and including February 3, 2020.

No provision of this Stipulation and Order shall be construed as a waiver of, and Defendants expressly reserve, any and all defenses.

This is the Defendants' second request for an extension of time to answer or otherwise respond to the Complaints.

Dated: December 23, 2019
New York, New York

/s/ Alan E. Schoenfeld

ALAN E. SCHOENFELD
WILMER CUTLER PICKERING
HALE AND DORR LLP
7 World Trade Center
250 Greenwich Street
New York, NY 10007
(212) 230-8800

alan.schoenfeld@wilmerhale.com

*Attorney for Defendants Richard Markowitz,
Jocelyn Markowitz, Avanix Management LLC
Roth 401(K) Plan, Batavia Capital Pension
Plan, Calypso Investments Pension Plan,
Cavus Systems LLC Roth 401(K) Plan,
Hadron Industries LLC Roth 401(K) Plan,
RJM Capital Pension Plan, and Routt
Capital Pension Plan*

/s/ Sharon L. McCarthy

(e-signed with consent)

SHARON L. McCARTHY
KOSTELANETZ & FINK LLP
7 World Trade Center, 34th Fl.
New York, NY 10007
(212) 840-6866

smccarthy@kflaw.com

*Attorney for Defendants John van
Merkenstein, III, Elizabeth van Merkenstein,
Azalea Pension Plan, Basalt Ventures LLC
Roth 401(K) Plan, Bernina Pension Plan,
Omineca Pension Plan, Starfish Capital
Management LLC Roth 401(K) Plan, Tarvos
Pension Plan, Voojo Productions LLC Roth
401(K) Plan, Michelle Investments Pension
Plan, Remece Investments LLC Pension Plan,
and Xiphias LLC Pension Plan*

/s/ Michelle A. Rice *(e-signed with consent)*

MICHELLE A. RICE
KAPLAN RICE LLP
142 West 57th Street
Suite 4A
New York, NY 10019
(212) 333-0227
mrice@kaplanrice.com

/s/ John McGoe (e-signed with consent)

JOHN MCGOEY
HUGHES HUBBARD & REED LLP
One Battery Park Plaza
New York, NY 10004
(212) 837-6000
John.McGoey@hugheshubbard.com

Attorney for Plaintiff Skatteforvaltningen

*Attorney for Defendants Joseph Herman,
David Zelman, Edwin Miller, Ronald Altbach,
Perry Lerner, Robin Jones, Albedo
Management LLC Roth 401(K) Plan, Ballast
Ventures LLC Roth 401(K) Plan, Fairlie
Investments LLC Roth 401(K) Plan, Bareroot
Capital Investments LLC Roth 401(K) Plan,
Battu Holdings LLC Roth 401K Plan, Cantata
Industries LLC Roth 401(K) Plan, Dicot
Technologies LLC Roth 401(K) Plan,
Vanderlee Technologies Pension Plan, Cedar
Hill Capital Investments LLC Roth 401(K)
Plan, Fulcrum Productions LLC Roth 401(K)
Plan, Green Scale Management LLC Roth
401(K) Plan, Keystone Technologies LLC Roth
401(K) Plan, Tumba Systems LLC Roth 401(K)
Plan, Crucible Ventures LLC Roth 401(K)
Plan, Limelight Global Productions LLC Roth
401(K) Plan, Plumrose Industries LLC Roth
401K Plan, Roadcraft Technologies LLC Roth
401(K) Plan, True Wind Investments LLC Roth
401(K) Plan, Eclouge Industry LLC Roth
401(K) Plan, First Ascent Worldwide LLC
Roth 401(K) Plan, Loggerhead Services LLC
Roth 401(K) Plan, PAB Facilities Global LLC
Roth 401(K) Plan, Trailing Edge Productions
LLC Roth 401(K) Plan, Monomer Industries
LLC Roth 401(K) Plan, Pinax Holdings LLC
Roth 401(K) Plan, and Sternway Logistics LLC
Roth 401(K) Plan*

SO ORDERED:

Hon. Lewis A. Kaplan
United States District Judge